

Adopted.

The following bills were introduced by permission:
By Senator Kleberg:

A bill prescribing and fixing the venue of suits against foreign corporations, joint stock companies or associations, or acting corporations or associations doing business in this State, and to provide the mode of serving process on such corporations or associations.

Referred to Judiciary Committee No. 1.

By Senator Pope:

An act to preserve the records and papers in criminal cases.

Referred to Judiciary Committee No. 2.

By Senator Houston of Bexar:

An act to establish a State Board of Medical Examiners and to regulate the practice of medicine and surgery in the State of Texas, also defining the duties of such board.

Referred to Committee on Public Health.

Senate Bill No. 34, "An act to amend articles 730 and 731 of the Code of Criminal Procedure of the State of Texas," was taken up in its regular order, read a third time and passed.

On motion of Senator Harrison,

The order of business was suspended, and—

Senate bill No. 19, "An act to amend and carry into effect article 4170 of the Revised Statutes of Texas, adopted by the regular session of the Sixteenth Legislature, A. D. 1879," was taken up out of its regular order and read a second time.

Senator Terrell offered the following amendment to the committee amendment:

Amend by striking out the words "one-half shall go to the informer when recovered, and the other half to the road and bridge fund of the county," and insert the words "such penalty so recovered shall go to the road and bridge fund of the county in which the suit is brought."

Also to strike out from and including the word "by" in the seventh line of committee amendment, to and including the word "suit" in ninth line.

Adopted.

Senator Getzendaner offered the following amendment:

Amend line four, page three, by inserting "ten" instead of "twenty-five."

Adopted by the following vote:

YEAS—21.

Bell,	Getzendaner,	Pfeuffer,
Calhoun,	Hall,	Pope,
Camp,	Johnson,	Randolph,
Davis,	Kilgore,	Shannon,
Evans,	Kleberg,	Stinson,
Fowler,	Knittle,	Terrell,
Garrison,	Peacock,	Traylor.

NAYS—4.

Harrison,
Houston of Bexar,

Houston of Wheeler, Woods.

Senator Davis withdrew his amendment.

The committee amendment as amended was adopted.

Senator Bell offered the following amendment to the bill:

Amend by adding after the word "canal," in the twelfth line, the words, "thus intersected or touched."

Adopted.

Senator Harrison offered to amend by adding emergency clause.

Withdrawn.

Senator Terrell offered the following amendment:

Amend by striking out the words "the same" in the thirteenth line, and insert the words "the crossing thereon."

Adopted.

Senator Peacock moved to strike out all after the word "article" in line 16 down to and including the word "State" in line 17.

Withdrawn.

Senator Kilgore offered to amend by striking out all after the word "State," line 17, page 1.

Adopted, and bill ordered engrossed.

On motion of Senator Woods,

Senate bill No. 57, entitled "An act to amend article 714 of the Code of Criminal Procedure," was taken up and made the special order after the first special order for Tuesday morning, after the morning call.

On motion, Senate bill No. 10, "An act to amend article 4, title 2 of the Revised Statutes of Texas," was taken up and recommitted.

The President gave notice of signing Senate bill No. 5, "An act to reorganize the twenty-eighth judicial district of the State of Texas, and to prescribe the times for holding the district court therein."

On motion of Senator Shannon,

The Senate adjourned till 10 o'clock Monday morning.

TWELFTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, January 26, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Houston of Wheeler,

The reading of the journal of yesterday was dispensed with.

REPORTS OF STANDING COMMITTEES.

By Senator Bell:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills, have carefully examined and compared Senate bill No. 115, being "An act to amend section 24 of 'an act to redistrict the State in judicial district and fix the times for holding court therein,' etc., approved April 9, 1883," and find the same correctly engrossed.

BELL, Chairman.

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, January 24, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 5, being "An act to reorganize the twenty-eighth judicial district of the State of Texas and provide the time for holding the district court therein," and find the same correctly enrolled, and have this day at 11:45 o'clock, a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

REPORTS OF SPECIAL COMMITTEES.

By Senator Evans:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Public Printing would respectfully state that, in accordance with a resolution of the Senate adopted January 22, requiring your Committee on Public Printing to inquire into or ascertain the cause of "the delay in publishing the bills introduced and reports of committees of the Senate on such bills," would respectfully state that they are informed by the printer who publishes the same that the delay is caused by reason of his not being able to get said bills and reports until the next day after the one in which they are returned into the Senate; that if said bills and reports are placed in his hands on the day of their return, that he will have them ready by the ensuing day.

We would therefore recommend that the Journal Clerk or Calendar Clerk be required to place these bills and committee reports into the hands of the printer immediately after their return by the committee into the Senate.

All of which is respectfully submitted.

EVANS, Chairman.

On motion of Senator Kleberg,
Senator Knittle was excused until Wednesday.

On motion of Senator Shannon,
Senator Perry was excused for the day.

On motion of Senator Traylor,
Senator Peacock was excused till Thursday.

BILLS AND RESOLUTIONS.

By Senator Glasscock:

A bill to protect the public property of the State.
Referred to Committee on Public Buildings and
Grounds.

By Senator Hall:

"An act to establish and define the land districts
in this State."

Referred to Committee on General Land Office.

"An act to give effect to section 2, article 14 of the
Constitution."

Referred to Committee on General Land Office.

By Senator Bell:

"An act to define and punish the conversion of
personal property by heirs, borrowers and other
bailies."

Referred to Judiciary Committee No. 2.

By Senator Jones:

"An act to amend article 610, chapter 5 of the Re-
vised Civil Statutes of the State."

Referred to Judiciary Committee No. 2.

Senator Bell offered the following privileged
report:

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined
and compared Senate bill No. 32, being "An act to further
regulate the waiver of service and the confession of judgments
in civil suits," and find the same correctly engrossed.

BELL, Chairman.

The President gave notice of signing House bill
No. 81, defraying contingent expenses of the Nine-
teenth Legislature.

Senate bill No. 8, amending the corporation laws,
was taken up as a special order.

Senator Jones withdrew his amendment.

Senator Harrison offered to amend the amend-
ment offered by Senator Houston of Wheeler, as
follows:

Section 27. That all lands heretofore acquired by any pri-

vate corporation created under the provisions of any law of
this State, shall, within five years from the time this act takes
effect, be disposed of, and sold to some individual person in
fee simple, and all lands hereafter acquired by such corpora-
tion shall in like manner be sold and disposed of within five
years from the date of such acquisition, and every conveyance
made by any corporation to evade the provisions of this act
shall work a forfeiture of the franchise and other corporate
rights of such corporations.

Lost by the following vote:

YEAS—3.

Harrison,

Kilgore,

Randolph.

NAYS—24.

Bell,

Garrison.

Jones,

Calhoun,

Getzendaner,

Kleberg,

Camp,

Glasscock,

Pope,

Davis,

Hall,

Shannon,

Douglass,

Houston of Bexar,

Stinson,

Evans,

Houston of Wheeler,

Terrell,

Farrar,

Jerdone,

Traylor,

Fowler,

Johnson,

Woods.

ABSENT, NOT VOTING.

Pfeuffer.

The amendment of Senator Houston of Wheeler
was lost by the following vote:

YEAS—4.

Houston of Wheeler, Pope,
Jones,

Randolph.

NAYS—23.

Bell,

Garrison,

Kilgore,

Calhoun,

Getzendaner,

Kleberg,

Camp,

Glasscock,

Shannon,

Davis,

Hall,

Stinson,

Douglass,

Harrison,

Terrell,

Evans,

Houston of Bexar,

Traylor,

Farrar,

Jerdone,

Woods.

Fowler,

Johnson,

ABSENT, NOT VOTING.

Pfeuffer.

Senator Woods offered the following amendment:

Amend article 565, line 8, in subdivision 2, after the word
"charitable" insert the word "educational."

Adopted.

Senator Houston of Bexar offered the following
amendment:

Strike out in the caption of the bill all after the word
"statutes" in second line.

Adopted.

Senator Houston of Bexar withdrew his substi-
tute.

The bill was engrossed by the following vote:

YEAS—17.

Bell,

Getzendaner,

Shannon,

Calhoun,

Harrison,

Stinson,

Camp,

Jerdone,

Terrell,

Davis,

Johnson,

Traylor,

Evans,

Jones,

Woods.

Fowler,

Randolph,

NAYS—9.

Farrar,

Hall,

Kilgore,

Garrison,

Houston of Bexar,

Kleberg,

Glasscock,

Houston of Wheeler,

Pope.

Senator Woods moved to suspend the rules and
that the bill be put on its third reading.

Withdrawn.

House bill No. 4, "An act to amend article 2402,
title 42, chapter 3 of the Revised Statutes," was laid
before the Senate and read second time.

On motion of Senator Traylor,

Action on the bill was postponed, and one hundred copies of the same ordered printed for the use of the Senate.

By leave,

Senator Calhoun submitted the following minority report:

SENATE BILL NO. 74—MINORITY REPORT.

COMMITTEE ROOM,
AUSTIN, January 25, 1885.

Hon. Barnett Gibbs, President of the Senate:

A minority of your Judiciary Committee No. 2, to whom was referred Senate bill No. 74, entitled "An act to amend chapter 3 of 'an act to adopt and establish a Penal Code of the State of Texas,' by inserting therein article 355a," and upon which a majority of your committee have reported unfavorably, and recommended that it do not pass, beg leave to submit a minority report, and ask that said bill be adopted, with the following amendment, to-wit:

Immediately after the word "shall," in the line 11 of the original bill, insert the words "at any place other than the residence of a private family."

And as so amended, a minority of your committee ask that said bill be passed.

All of which is respectfully submitted.

CALHOUN, for Minority.

Substitute House bill No. 27, "An act to authorize the transfer the transfer of occupation licenses," was laid before the Senate and read second time.

On motion of Senator Kilgore,

Action on the bill was postponed, and one hundred copies of same ordered printed, and it was made special order for Wednesday, after morning call.

The following communication was received and read:

AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Prior to the last general session of the Legislature, Col. John G. James requested me to present in some formal way with appropriate remarks, to the Senate of Texas, a portrait of General Stephen F. Austin. Lack of time from official duties then prevented the presentation of that portrait, with such remarks as the Senate might have been willing to hear. Permit me now, in this informal manner, to present, for Col. James, to the Senate of Texas, the portrait of General Stephen F. Austin, which I send with this note.

Respectfully,

A. W. TERRELL.

On motion of Senator Jones,

The communication was received and ordered spread upon the journals of the Senate, and the Sergeant-at-Arms was instructed to hang the portrait within the hall of the Senate chamber, and the thanks of the Senate were extended Col. James for the gift.

The following message was received from the House:

AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed to report to your honorable body the passage by the House of the following bill:

House bill No. 15, a bill to be entitled "An act to amend sections 4 and 16 of an act entitled 'an act for the protection of the wool growing interests of the State of Texas,' approved April 11, 1883."

A. D. SADDLER, Chief Clerk.

(Senator Getzendaner in the chair.)

On motion of Senator Traylor,

Senate bill No. 71, "An act to transfer to the general revenue account certain funds now in the State Treasury to the order of other accounts," was taken up out of its regular order.

Read second time and ordered engrossed.

On motion of Senator Traylor,

The constitutional rule requiring bills to be read on three several days, was suspended by the following vote:

YEAS—23.

Bell,	Harrison,	Pope,
Calhoun,	Houston of Wheeler,	Randolph,
Camp,	Jerdone,	Shannon,
Farrar,	Johnson,	Stinson,
Fowler,	Jones,	Terrell,
Garrison,	Kilgore,	Traylor,
Glasscock,	Kleberg,	Woods.
Hall,	Pfeuffer,	

NAYS—1.

Evans,

The bill was then read the third time and passed by the following vote:

YEAS—22.

Bell,	Harrison,	Pope,
Calhoun,	Jerdone,	Randolph,
Camp,	Johnson,	Shannon,
Farrar,	Jones,	Stinson,
Fowler,	Kilgore,	Terrell,
Garrison,	Kleberg,	Traylor,
Glasscock,	Pfeuffer,	Woods.
Hall,		

NAYS—4.

Davis,
Evans.

Houston of Bexar, Houston of Wheeler.

On motion of Senator Houston of Bexar,

The rules were suspended and Senate bill No. 110, "An act to amend an act entitled 'an act to regulate the appointments of Notaries Public,' etc., approved April 1, 1881," was taken up, with pending amendments by the committee.

Amendments adopted.

Senator Fowler offered the following amendment:

Strike out the word "under" on second page, in second line, and insert the word "on."

Adopted.

On motion of Senator Houston of Bexar,

The constitutional rule was suspended by the following vote:

YEAS—24.

Bell,	Hall,	Kleberg,
Calhoun,	Harrison,	Pfeuffer,
Camp,	Houston of Bexar,	Pope,
Evans,	Houston of Wheeler,	Randolph,
Farrar,	Jerdone,	Shannon,
Fowler,	Johnson,	Terrell,
Garrison,	Jones,	Traylor,
Glasscock,	Kilgore,	Woods.

NAYS—1.

Stinson.

The bill was then read third time, and passed by the following vote:

YEAS—24.

Bell,	Glasscock,	Kilgore,
Calhoun,	Hall,	Kleberg,
Camp,	Harrison,	Pfeuffer,
Davis,	Houston of Bexar,	Pope,
Evans,	Houston of Wheeler,	Randolph,
Farrar,	Jerdone,	Shannon,
Fowler,	Johnson,	Terrell,
Garrison,	Jones,	Traylor.

NAYS—2.

Stinson,

Woods.

On motion of Senator Pope,

Senate bill No. 35, "An act to amend article 3602,

chapter 15 of the general laws of Texas, passed by the called session of the Seventeenth Legislature, approved May 4, A. D. 1882, relating to the hiring of county convicts," was taken up out of its regular order.

The question being on the adoption of the amendment submitted by the committee reporting said bill,

The amendment was adopted.

The question being on the engrossment of the bill, it was ordered engrossed.

The President pro tem. laid before the Senate, Senate bill No. 2, "An act to amend article 496, chapter 2, title 19, of the Penal Code" with majority and minority reports, the majority opposing the passage of the bill, and the minority favoring it.

(The President in the chair.)

Senator Kleberg moved to substitute the minority for the majority report.

Lost, by the following vote:

YEAS—12.

Bell,	Fowler,	Johnson,
Calhoun,	Getzendaner,	Kilgore,
Camp,	Glasscock,	Kleberg,
Evans,	Harrison,	Stinson,

NAYS—14.

Davis,	Jerdone,	Shannon,
Farrar,	Jones,	Terrell,
Hall,	Pfeuffer,	Traylor,
Houston of Bexar,	Pope,	Woods,
Houston of Wheeler,	Randolph,	

Senator Davis moved the adoption of the majority report.

Carried by the following vote:

YEAS—16.

Davis,	Houston of Wheeler,	Randolph,
Farrar,	Jerdone,	Shannon,
Garrison,	Jones,	Terrell,
Glasscock,	Pfeuffer,	Traylor,
Hall,	Pope,	Woods,
Houston of Bexar,		

NAYS—11.

Bell,	Fowler,	Kilgore,
Calhoun,	Getzendaner,	Kleberg,
Camp,	Harrison,	Stinson,
Evans,	Johnson,	

Which disposed of the bill.

Senator Kilgore, by leave, introduced a bill entitled "An act to amend article 110, chapter 6 of the Revised Statutes."

Referred to Judiciary Committee No. 1.

Senator Evans submitted the following written reason for voting against the passage of Senate bill No. 71, "An act to transfer to the general-revenue account certain funds now in the State treasury to the credit of other accounts:"

My reason for voting against the bill is because I believe it in conflict with section 7, article 8 of the Constitution of the State of Texas.

W. A. EVANS.

On motion of Senator Pope,

The Senate adjourned till 10 o'clock to-morrow morning.

THIRTEENTH DAY.

SENATE CHAMBER. }
AUSTIN, January 27, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Randolph,

The reading of the journal of yesterday was dispensed with.

On motion of Senator Pope,

Secretary Ramey was excused from non-attendance, on account of sickness.

On motion of Senator Terrell,

Postmaster Drew was excused from attendance Monday, Tuesday and Wednesday, on account of urgent business.

REPORTS FROM STANDING COMMITTEES.

By Senator Houston of Bexar:

COMMITTEE ROOM.
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 93, entitled "An act to require the record of official bonds and other bonds or contracts, in which the State of Texas or any county thereof is interested," have carefully examined the same, and a majority of said committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 111, entitled "An act to further regulate the practice in the district, county and justice courts of the State of Texas," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, January 26, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 126, entitled "An act prescribing and fixing the venue of suits against foreign corporations, joint stock companies or associations, or acting corporations or associations, doing business in this State, and to provide the mode of serving process on such corporations or associations," have carefully examined the same, and a majority of said committee instruct me to report the same back to the Senate with the accompanying amendments, with the recommendation that it do pass as amended.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE AMENDMENTS TO SENATE BILL NO. 126.

1. Amend section 1 by adding the words "or in the county where the plaintiffs, or either of them, reside."

2. Amend section 2 so as to read: "Section 2. In any suit against any foreign private or public corporation, joint stock company or association, or acting corporation or association, citation or other process may be served on the president, vice-president, secretary or treasurer, or general manager, or upon any local agent within this State of such corporation, joint stock company or association, or acting corporation or association."

3. Strike out section 3 (emergency clause).